

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

Court Minutes

DATE: February 22, 2022  
JUDGE: Pamela Pepper  
CASE NO: 2020-cv-982  
CASE NAME: Gilane Popanda, *et al.* v. Adam Roth  
NATURE OF HEARING: Status Conference  
APPEARANCES: Matthew Fernholz – Attorney for the plaintiffs  
Ashley McNulty – Attorney for the plaintiffs  
Adam Roth – Defendant  
Ron Roth – Father of the defendant  
COURTROOM DEPUTY: Kristine Wrobel  
TIME: 3:02 p.m. – 3:25 p.m.

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**AUDIO OF THIS HEARING AT DKT. NO. 55**

The court noted that it had entered an order on February 8, 2022 (Dkt. No. 54) in which it observed that it had seen Ron Roth's name on pleadings and that defendant Adam Roth had admitted in pleadings that Ron Roth had helped him prepare documents. The court explained that a non-lawyer could not represent a party in federal court. The court wanted to make it clear that Ron Roth could not prepare and file legal documents or represent defendant Adam Roth in this federal case. The court asked defendant Adam Roth how he wanted to proceed, given that his father could not represent him.

Defendant Adam Roth stated that he was an active participant in the case and that the signatures on the filed documents were his. He stated that his father had helped him write the pleadings and helped him decide what pleadings he should file.

The court explained that helping decide what pleadings to file and what words to write in those pleadings was what an attorney would do for the defendant and reiterated that a non-lawyer could not provide legal representation to a party in federal court. The court explained that if defendant Adam Roth needed assistance in making legal decisions, he would need to obtain that assistance from a lawyer.

Defendant Adam Roth explained that he had tried to hire an attorney but that he could not afford one. The court asked whether he would like the court to provide him with a list of organizations that possibly court represent him for free or at reduced cost. Defendant Adam Roth responded that he would like the court to provide him with such a list.

The court stated that it would maintain the stay to give defendant Adam Roth time to review the list of organizations and determine whether any attorney would represent him at little to no cost.

Counsel for the plaintiffs told the court that he was considering filing the wrongful death claims in Waukesha County Circuit Court, then filing a motion in this case asking the court to stay the case until the resolution of the wrongful death claims. Counsel indicated that he would prefer to proceed in state court. Counsel added that he never had spoken with defendant Adam Roth and so did not know whether Adam Roth planned to contest the payout of the proceeds that the court is holding from the life insurance policy.

Defendant Adam Roth responded that he planned to contest the payout.

Ron Roth explained that he believed he simply had acted as a typing and delivery service for defendant Adam Roth. Ron Roth further explained what he had done to help his son. The court made it clear that Ron Roth could not act as defendant Adam Roth's representative by drafting documents to be filed in federal court, by appearing for him in court or by making legal decisions for him.

The court indicated that it would send out a list of resources for defendant Adam Roth and would copy Ron Roth. The court will await either a notice of appearance by counsel for the defendant or a motion for stay from counsel for the plaintiffs.